

HOUSE No. 318

By Mr. O’Flaherty of Chelsea, petition of Harold P. Naughton, Jr., and Eugene L. O’Flaherty relative to survivor benefits for spouses of judges deceased while in the performance of judicial responsibilities. Public Service.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO JUDICIAL BENEFITS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 65c of Chapter 32 of the General Laws,
2 as most recently amended by chapter 306 of the acts of 1996, is
3 hereby further amended by inserting after the third paragraph the
4 following paragraph:— Notwithstanding any other provision of
5 this chapter to the contrary, the surviving spouse of a judge whose
6 death was caused by or was the result of an injury or accident
7 occurring while the judge was performing his official duties shall
8 be entitled to a retirement allowance of not less than the
9 allowance said spouse would have been entitled to had said judge
10 died at sixty five years of age with fifteen years of judicial
11 service.

1 SECTION 2. This act shall take effect July 1, 2002. Survivor
2 Benefits for Spouses of Judges whom Death is causally Related
3 To an Occurrence while the Deceased Judge was in the Perfor-
4 mance His or Her Judicial Responsibilities. General Laws
5 Chapter 32, section 65C is hereby amended, retroactively to July
6 1, 2002, by adding the following paragraph after the third para-
7 graph of said section:— The surviving spouse of a judge whose
8 death is causally related to an occurrence during the performance
9 of the judge’ judicial responsibilities, shall be entitled to a retire-
10 ment allowance based on the allowance said spouse would be

11 entitled to had said judge died at age 65 with 15 years of judicial
12 service notwithstanding any provision in Chapter 32 to the
13 contrary.